

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CARDINAL HEALTH 414, INC.,)	
)	
Plaintiff,)	Case No. 3:07-cv-00691
)	
v.)	
)	
DANIEL ADAMS, ALLEN B.)	Judge Trauger
TOWNSEND, JR., and MID-SOUTH)	
NUCLEAR PHARMACY, INC., d/b/a)	
MUSIC CITY NUCLEAR PHARMACY,)	
)	JURY DEMAND
Defendants.)	

**CARDINAL HEALTH 414, INC.'S
MOTION FOR LEAVE TO FILE MOTION FOR
PARTIAL SUMMARY JUDGMENT**

Pursuant to this Court's Initial Case Management Order, D.E. # 19, Cardinal respectfully moves this Court for leave to file the attached motion for partial summary judgment and supporting papers. Cardinal has filed an action alleging violations of the Stored Communications Act, 18 U.S.C. § 2701 *et seq*, the Federal Wiretap Act, 18 U.S.C. § 2510 *et seq*, the Tennessee Wiretap Act., Tenn. Code Ann. § 39-13-601, the Tennessee Personal and Commercial Computer Act, Tenn. Code Ann. § 39-14-601 *et seq*, the Tennessee Uniform Trade Secrets Act, § 47-25-1701 *et seq*, as well as intentional interference with business relations and conspiracy claims.

Defendants have admitted conduct constituting violations of the Stored Communications Act, the Tennessee Wiretap Act and the Federal Wiretap Act. Accordingly, Cardinal seeks to file a motion for partial summary judgment resolving these claims. Resolution of these claims at this stage of the litigation will streamline the parties' remaining discovery and narrow the scope of the litigation going forward, and expedite the ultimate resolution of this matter.

Accordingly, Cardinal respectfully requests that this Court grant its motion for leave and allow the filing of Cardinal's motion for partial summary judgment, memorandum in support, statement of undisputed facts and notice of filing, attached hereto as exhibits.

Respectfully submitted,

NEAL & HARWELL, PLC

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served by the Court's electronic filing system on the following counsel of record this 29th day of February, 2008.

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